

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 2-11 were pending. By way of the present Reply, Applicant has amended claims 1, 3-4, and 8 and added claims 14-22. After amending the claims as set forth above, claims 1, 3-11, and 14-22 are now pending in the application. Applicant has also amended the specification to correct a clerical error.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Rejection of claims 1 and 3-11 based on Keller and Stanford

Claims 1 and 3-11 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,423,443 (“Keller”), in view of U.S. Patent No. 5,456,830 (“Stanford”). Applicant respectfully traverses the rejection for the reasons set forth below.

Claim 1 is directed to a dispensing device that includes, amongst other things, containers, a stopper, and a locking ring, **“wherein the external surfaces of the outlets include ridges, each comprising a traction slope on an upper side and a tightening slope on a lower side, and said locking ring includes corresponding ring ridges on an inside surface that are each provided with a traction slope on a lower side and with a tightening slip on an upper side, and wherein the outlet ridges and the ring ridges are configured to mutually cooperate to enable the stopper to be lifted off or moved toward the dispensing device as the locking ring is rotated.”** According to an exemplary embodiment, a stopper is lifted off from a cartridge through rotation. The double cartridge comprises two storage containers. The double cartridge comprises an outlet end with separate outlets, a locking ring, and a stopper. An outlet flange having two opposed flange ridges is arranged in the end area of the two outlets. Each flange includes on its lower side a tightening slope and on its upper side a traction slope, said slopes being oblique. Tightening and traction slopes on the outlet flange of the cartridge cooperate with corresponding tightening and traction flanges inside the locking ring. To close the cartridge outlets, the stopper, previously mounted in the locking ring, is first pushed into the outlets of the cartridge

and locked by turning by 90°. For unlocking, the locking ring is turned back a little more than 90° whereby the stopper is pulled out and can be removed together with the locking ring. Then, after taking out the traction disk, the stopper can be removed from the locking ring and that same locking ring can be used for attaching a mixer to the cartridge.

The Office correctly asserts on page 2 of the Office Action that the cited Keller reference fails to disclose a bayonet connecting means comprising a mutually cooperating means. See Office Action, pg. 2. The Office relies on Stanford as allegedly teaching this feature. Applicant respectfully asserts that the Office's reliance is misplaced.

Stanford is directed to a filter assembly. See Stanford, abstract. To lock a filter cartridge 11 and unlock it from a mounting head 12 the respective connecting means 24 on the cartridge and on the head are formed as cooperating bayonet-type fittings. See Stanford, col. 5, lines 22-25. The fittings are provided with mating cam surfaces to draw the cartridge into the mounting head 12. See Stanford, col. 5, lines 25-28. The radially projecting mounting ears 24 on the cartridge are each provided with an inclined cam surface 60 and the opposed mounting lugs 36 on the skirt 32 of the mounting head 12 are each formed with inclined camming ramps 62. See Stanford, col. 5, lines 28-33. In short, Stanford discloses that only one side of the mounting ears 24 has an inclined surface and only one side of the opposed mounting lugs 36 has an inclined surface. Further support for this assertion can be seen in Figure 6 of Stanford which shows 62 as the one side of the mounting head 12 with an inclined surface and which shows 64 as the one side on the mounting ear 24 with an inclined surface. Stanford further teaches that as the filter cartridge 11 is axially rotated in a counterclockwise direction from the position shown in Figure 7a to the position shown in Figure 7b, the mating cams 60 and 62 on the cartridge ears 24 and mounting head lugs 36 engage and ride over one another to draw the cartridge upwardly into the head cavity 31. Stanford, col. 5, lines 46-51. In short, Stanford discloses that no traction force is exerted when the cartridge is drawn upwardly into the head cavity 31. Rather, only rotation occurs. Thus, Stanford fails to disclose, teach, or suggest, **“wherein the external surfaces of the outlets include ridges, each comprising a traction slope on an upper side and a tightening slope on a lower side, and said locking ring includes corresponding ring ridges on an inside surface that are each provided with a traction slope on a lower side and with a tightening slip on an upper side, and wherein the outlet ridges and the ring**

**ridges are configured to mutually cooperate to enable the stopper to be lifted off or moved toward the dispensing device as the locking ring is rotated**” as recited in claim 1.

Additionally, Applicant submits that Keller and Stanford are not properly combinable in the manner asserted in the Office Action. First, Stanford does not disclose or relate to a dispensing device. Accordingly, Applicant submits that one of ordinary skill in the art would not look to Stanford to modify the dispensing device of the cited Keller reference. Second, even were it the case that one would look to Stanford, such reliance would result in replacement of the stopper of the prior art Keller device with the O-ring 37 of Stanford. If combined in such a manner the resulting device would still entirely lack the features of the claims noted above. In short, Applicant submits that the asserted combination relies on an improper use of hindsight reasoning.

Claims 3-11 directly or ultimately depend from independent claim 1. As previously mentioned Keller does not disclose, teach, or suggest, all features of claim 1. Also as previously mentioned, Stanford does not cure the deficiencies of Keller. Because none of Keller and Stanford taken alone or in combination disclose, teach, or suggest the aforementioned limitations of claim 1, claim 1 and its dependent claims 3-11 are allowable. Favorable reconsideration and withdrawal of the rejection is respectfully requested.

#### New Claim

New claims 14-22 have been added. Support for the claims can at least be found on page 3, line 7– page 5, line 17 of the originally filed application and Figures 1-6. Claim 14 includes the features of claim 1 and is therefore allowable for at least the reasons claim 1 is allowable. In addition, claim 14 recites a stopper that includes a tightening flange, which is configured to be moved by rotation of the locking ring so that the outlet ridges and the ring ridges are configured to mutually cooperate to enable the stopper to be lifted off or moved toward the dispensing device as the locking ring is rotated. This additional feature is entirely absent from the applied references, whether considered alone or in combination.

Claims 15-22 directly or ultimately depend from independent claim 14 and are allowable at least for the same reasons as independent claim 14.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

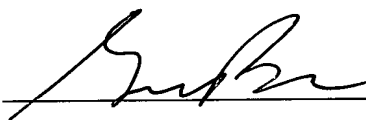
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

9/2/2009

By



FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6014  
Facsimile: (202) 672-5399

George C. Beck  
Attorney for Applicant  
Registration No. 38,072